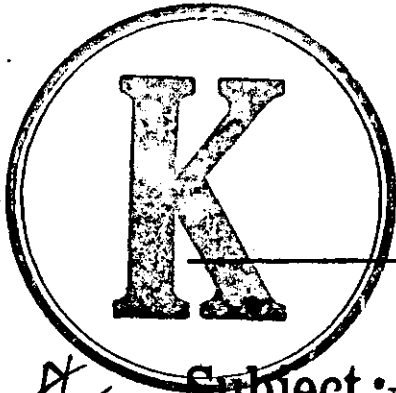


1949.

File No. Misc II/49



Legal

DEPARTMENT

Pt I

C

BRANCH

A/
116

Subject:— Miscellaneous office

procedure adopted in connection
with dismissal and recruitment of
Govt. servants and other matters

(Please see part II, for subsequent
papers)

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C O N T E N T S.

Legal Department File No. 1. Misc. II/49 Part I.

Sr. No.	Compilation No.	Subject.	Pages.
	Misc. II/49 Part I	Miscellaneous office pro- cedure adopted in connec- tion with dismissal and recruitment of Govt. Servants and other matter.	
1.	S.L.D. G.R. No. 7530 dt. 10-1-49	Free studentships and Scholarships grant of to -Backward class refugee students from Pakistan.	1
2.	P.A.S.D. Circular No. 3062/48-F. dt. 29-12-48	Instructions in regard to dealings with the Rulers of Integrated states.	5
3.	H.L.G.D. G.R. No. 2781/33 dt. 2/8/48	Anti-malaria Measures Distribution of caldron	7
4.	H.L.G.D. G.R. No. 385/33 dt. 23/3/49	Hospital Cases Levy of in Govt. and State-aided Hospitals.	9
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K.V.G./22/5

SC.

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31/5
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Free studentships and
Scholarships.
 Grant of to - Backward
 Class.
 refugee students from
 Pakistan.

Government of Bombay,
 Education and Industries Department,
 Resolution No. 7530,
 Bombay Castle, 10th January 1949.

RESOLUTION OF GOVERNMENT.

Government has recently held Backward Class refugee students from Pakistan eligible for the grant of capitation grants payable to private Backward Class Hostels, Government is now pleased to direct that they should also be held eligible for free studentships and scholarships in secondary schools, technical and Industrial institutions and colleges including Agricultural, Veterinary and Medical colleges in the same way as other Backward Class students in the Province. The Director of Public Instruction, the Joint Director of Technical Education, the Director of Agriculture, the Director of Veterinary services and the Surgeon General with the Government of Bombay should be requested to issue the necessary circulars to the institutions under their control.

By order of the Governor of Bombay,

Sd/- D.S. JOSHI,

Joint Secretary to Government.

All Commissioners,
 All Collectors,
 The Director of Public Instruction,
 The Backward Class Officer,
 The Joint Director of Technical Education,
 The Director of Agriculture,
 The Director of Veterinary services,
 The Surgeon General, with the Government of Bombay,
 The Accountant General, Bombay (through the Finance Dept.
 The Director of Publicity (with a request to issue a
 press note),
 The Enquiry Officer,
 All Departments of Secretariat, (except the Separate
 Department).

Service.Increments.

- | | |
|---|--|
| (1) For the first three completed years of service. | One increment for each completed year of service |
| (2) For every three completed years of service after the first three completed years. | One increment. |

2. Finance Department has stated that increments should be granted on the following basis:-

Service.Increments.

Less than 5 years	Nil
5 years and more but less than 7½ years	1 increment
7½ years and more but less than 10 years	2 increments.
10 years and more.	3 increments.

The second alternative suggested by Finance Department appears to be reasonable. It may be stated that the pay of semi-Government servants and temporary servants from Pakistan has been revised on this basis. The pay of State servants may also be revised on this basis and their seniority vis-a-vis Government servants may be fixed in accordance with their revised pay.

It may however be pointed out here that the course suggested at (2) above might present some difficulty in certain individual cases where the absorbed State servants were drawing in the States salary very much higher than the minimum of the pay scale of the new post. In those cases the difficulty would arise as to whether their pay in the new posts should be revised, having regard to the pay that was drawn in the old posts or to the years of service put in by the persons in the state service. For the sake of uniformity it appears it will be better to stick to the criterion of the years of service though in some cases it might result in the person concerned drawing somewhat lesser pay in the new post than what he was drawing in the old post, for the time being.

Id/- (through 'D')
28.1.49.

Id/-
28.1.49.

Id/-J.C.
29.1.49.

Copies of the Note may please be supplied to Secretaries (Joint Secretaries) today, so that they would have sufficient time to study the case before the meeting on Tuesday next.

Id/- M.D.M
11/2.

L.V.V./22-

(A)
(S)

Instructions in regard to
dealings with the Rulers of
Integrated States.

GOVERNMENT OF BOMBAY.

POLITICAL AND SERVICES DEPARTMENT.

Circular No. 3062/46-F

Bombay Castle, 29th December 1946.

CIRCULAR.

Government has received complaints from some of the Rulers of the Integrated States to the effect that certain officers of Government in their dealings with them (the Rulers) are not as polite and considerate as they ought to be. Government desires to impress upon all Heads of Departments and Heads of Offices under them the need of observing the following principles in this regard

1. It is very desirable that the Rulers on account of their position, dignity and privileges should be shown special consideration. Furthermore, it is the policy of the Government of India as also of the Government of Bombay, to keep as cordial relations as possible with the Rulers. In the task of integration and consolidation the co-operation of the Rulers is most essential and in the process of stabilizing the new set up, anything that might tend to have an unsettling effect should be scrupulously avoided. It is therefore of the utmost importance that the susceptibilities of the Rulers are not offended unnecessarily. In accordance with this policy the Heads of Departments and Offices should avoid doing anything which will be construed as rudeness or harassment by the Rulers. Correspondence with the Rulers, whenever necessary, should be carried on by the Chief Administrator or other Head of the Department and not by subordinate officers. The letters should be polite and the honorific titles etc. of the Rulers should invariably be used.

P.43.H32

2. It should be understood that Government attaches
P.T.O.

great importance to the observance of these instructions.

By order of the Governor
of Bombay,

Sd/- M.D.BHAT,
Chief Secretary to the Government
of Bombay,
Political and Services Department

G.C.No. 3062/46-F., P.&S.D., dated 29th December 1948.

To

All Chief Administrators,
All other Heads of Departments and Heads of Offices under
the several Departments of the Secretariat,
All Departments of the Secretariat (except the Separate Departments),
The Private Secretary to the Honourable the Premier.

No.

of 1948.

Copy forwarded for information and guidance to

K.V.G./22-5

4C.

Anti-Malaria Measures.
Distribution of Paludrine.

GOVERNMENT OF BOMBAY.

HEALTH AND LOCAL GOVERNMENT DEPARTMENT.

Resolution No. 2781/35.

Bombay Castle, 2nd September 1948.

Letter from the Director of Public Health for the Government of Bombay, Poona, No. 160-B, dated 14th August 1947:-

"In continuation of my letter No. G. 12-4352-B, dated 20th March 1947, forwarding a copy of the report of the Assistant Director, Public Health (Malariology) on the experiments carried out with Paludrine, I have the following proposals to submit for Government consideration and orders:-

Paludrine may be recognised as the drug of choice for the treatment of rural malaria cases and arrangements may be made for its availability in all the villages. The requirements of Paludrine may be obtained from the Imperial Chemical Industries Ltd. in bulk and they should be put up in paper wafers containing 3 tablets each which will constitute one course of treatment for an adult for the cure of a primary attack of malaria. This work may be undertaken by the Jail Department, necessary cost being debited to the Public Health Department. The packet may contain a printed leaflet showing instructions for the administration of the drug, namely, 3 tablets to be taken in a single dose by every adult as soon as a febrile attack develops. Children between 8 and 12 may take two tablets and those between 1 and 7 may take one tablet. In view of the fact that quinine and mepracrine have to be taken for at least 5 days for the treatment of a primary attack, whereas a single administration of Paludrine will equally serve the purpose, I recommend that the only anti-malarial drug that may be made available in the rural parts for distribution through non-medical agencies may be Paludrine in future and quinine and mepracrine may only be supplied to Hospitals and Dispensaries and Subsidised Private Medical Practitioners. An important question that arises for consideration is whether the drug should be distributed free of cost or any charge may be levied. The actual cost of 3 tablets of Paludrine would be nine pice. It will not therefore be any serious financial strain on even the poorest citizen of the Province. On the other hand there will be the psychological advantage that a drug which has been paid for will be better appreciated by the consumer. If this view is acceptable to Government, I recommend that stocks of Paludrine may be made available with Kamlatdars and District Health Staff and they may be allowed to sell it to retail shop-keepers in every village at the rate of 9 pice per 3 tablets contained in paper wafers and the latter may be permitted to sell it at the rate of one anna per three tablets retaining for themselves three pice as their commission charges. Retail dealers may be required to purchase not less than 20 packets of 3 tablets each at a time and they may also be required to sell it at not more than one anna per packet and also not more than two packets to any individual.

On the other hand Government may hold the view that while even the costlier drugs like quinine and mepracrine were distributed free of cost in former times in rural areas, it will be a retrograde step to make Paludrine, which is cheaper, available on payment. If this view is taken then the entire expenditure on provision of facilities for the treatment of rural malaria with Paludrine may be debited to the Public Health Department. In that case provision may be made for about twenty million tablets to be purchased on this behalf at an approximate cost of Rs. 4,00,000. If my first recommendation to make it available in the rural areas on payment is approved by Government the approximate expenditure would only be Rs. 1,00,000, the rest being recovered by salesproceeds. The amount thus saved may be made available for other malaria preventive measures.

The experiments carried out by the Malaria Organisation of this Province have confirmed the results of other workers that in rural areas a single administration of 3 tablets to an adult is as effective as giving

P.T.O.

in giving relief from fever and in making the parasites disappear from the peripheral blood as any prolonged administration of this drug or a 5 days course of treatment with Quinine or Mepacrine. Although in-hospital practice it is recommended that 3 tablets of Paludrine may be given for 7 to 10 days, it does not seem necessary at all to do so in so far as a tropical area is concerned where there is a certain amount of communal immunity.

One other efficacy of Paludrine consists of its warding off a malarial attack if it is taken in a dosage of two tablets a week at intervals of 3 and 4 days respectively. Even one tablet a week will ward off the attack in about 90 per cent. of the cases. Such a regime, however, will only be possible in the disciplined sections of the community, such as Government officials specially of the Police, Forest and Excise Departments. The Heads of Departments may therefore be advised that wherever they can arrange for a regular Paludrine parade twice a week at intervals of 3 and 4 days respectively, they may usefully do so during the malarial months and for at least 2 months thereafter, that is roughly from August to the end of January (six months every year) for all their staff. They may estimate their requirements themselves and arrange to obtain from their own budget their requirements of Paludrine, either from the Imperial Chemical Industries Ltd. or from the Medical Stores. Such a prolonged use is absolutely unattended with any danger of toxic symptoms of any kind whatever. Heads of departments may formulate their estimates on the basis of 2 tablets per adult per week for 6 months in a year, cost of Paludrine being about Rs. 20 per thousand tablets including packing and freight charges. If this treatment is systematically adopted, it would materially minimise the number of days lost to Government due to sickness."

RESOLUTION:- Sanction is accorded to the scheme proposed by the Director of Public Health for the Government of Bombay that the distribution of quinine, mepacrine and quinacrine to the general public through Government agency should be discontinued in future, and that only Paludrine should hereafter be distributed through Government agency. The Director of Public Health should be authorised to purchase during the current year four million Paludrine tablets at an estimated cost of Rs. 80,000.

2. These orders do not in anyway affect the existing arrangement under which quinine sulphate and quinine ampoules are supplied by the Superintendent of Excise, Bombay, to registered medical practitioners on payment.

3. Paludrine tablets should ordinarily be sold to the general public at the price of nine pice per packet containing three tablets but an exception should be made in the case of indigent patients who cannot afford to pay even the small sum. In such cases, the tablets should be supplied free of charge.

4. Paludrine tablets should also be supplied free of cost to Government servants, but care should be taken by the Heads of Offices concerned to see that the supplies thus made are intended for the bona fide use of the Government servants themselves. The expenditure on this accounts should be met from the contingent grants of the office concerned.

5. Families of Government servants are not entitled to free supply of Paludrine. They will have to pay for it at the rate charged to the public.

6. The Director of Public Health for the Government of Bombay should be requested to see that the existing stock of mepacrine is disposed of as early as possible in consultation with the Surgeon General with the Government of Bombay. Officers of the Public Health Department should be asked to distribute mepacrine free in rural areas so long as the existing stock lasts.

7. The Director of Public Health should be requested to point out the source from which the expenditure mentioned in paragraph one above should be met during the current financial year.

By order of the Governor of Bombay,

Sd/- K.B.KAMATH,
Deputy Secretary to Government.

To

The Commissioners of Divisions,
The Surgeon General with the Government of Bombay,
The Director of Public Health for the Government of Bombay,
All Collectors (with spare copies for communication to local
bodies in their Districts),
All Civil Surgeons,
The Municipal Commissioner for the City of Bombay.
The Director of Publicity (for issue of the accompanying
Press note and with a request that the information
given in the accompanying note on "Experiments
with Paludrine in the Chemo-therapy of malaria"
may be utilized for publishing a detailed article
in the Shetkari),
All other Heads of Offices,
The Accountant General, Bombay (through the Finance Depart-
ment),
The Finance Department,
All other Departments of the Secretariat.

No.

of 1948.

Copy forwarded for information and guidance to

K.V.G./22-5

4C.

Hospital Fees:

(9)
(10)

Levy of-in Government and State-aided Hospitals.

GOVERNMENT OF BOMBAY.

HEALTH AND LOCAL GOVERNMENT DEPARTMENT.

Resolution No. 395/33.

Bombay Castle, 23rd March 1949.

Letter from the Surgeon General with the Government of Bombay, No. 219-E, dated the 18th January 1949:-

"According to rule 6 of the rules governing levy of fees in Government and State-aided Hospitals in the Province of Bombay, the day of admission of patient into hospital and the day of discharge therefrom is to be taken together and counted as one day for the purposes of recovery of fees from a paying patient. A point has now been raised whether any fees should be recovered from a paying patient who dies or is discharged on the same day of his admission under the rule mentioned above. I consider that if a paying patient dies on the same day of his admission no fees should be recovered but if he is discharged on the same day of his admission there should be no objection to recover from him hospital fee for one day. I request that Government will be pleased to accept this view and issue the necessary orders amending rule 6 of the Rules governing levy of fees in Government and State-aided Hospitals in the Province of Bombay to that effect, at an early date."

RESOLUTION:- Government is pleased to direct, with reference to rule 6 of the Rules governing the levy of fees in Government and State-aided Hospitals in the Province of Bombay that, if a paying patient dies on the day of his admission, no fees should be recovered from him. If the paying patient on the other hand is discharged on the day of his admission, the fees due for one day should be charged and recovered.

~~H.&L.G.H149~~

2. The Surgeon General is requested to submit for the approval of Government in due course the necessary draft amendment to the rules for the levy of fees in Government and State-aided Hospitals.

By order of the Governor of Bombay,

Sd/- C.G.DESAI,
Deputy Secretary to Government.

G.R.No. 395/33, H.&L.G.D., dated 23rd March 1949.

To

The Surgeon General with the Government of Bombay,
All Civil Surgeons in charge Civil Hospitals,
All Superintendents of Hospitals in Bombay City,
The Medical Officer in charge Cama and Albless Hospitals,
Hospitals, Bombay,
The Heads of Offices under the several Departments of the Secretariat,
All Departments of the Secretariat,
The Account General, Bombay (through the Finance Dept),
The Finance Department.

P.T.O.

*The Prothonotary and Senior Master, High Court, E
Bombay,

*The Registrar, High Court, Appellate Side, Bombay.

By letter, 12.1.49

No. of 1949.

Copy forwarded for information and guidance to

K.V.G./22-5

4C.

Submitted.

The facts of the case are stated in F.D. office note at p. 29 ante. The papers are referred to L.D. for advice as to whether the fee of Rs. 76/- claimed by the Solicitor to the Central Govt. should be sanctioned.

2. The arguments advanced by the Solicitor for the grant of fees are mentioned by the Registrar in para. 3 of his letter at pp. 15-17 ante. In this connection attention is invited to the terms and conditions of Appointment of the Solicitors to the Central Govt. vide G. of I. Legis. Deptt. L.No.F.315-II/33-C-19, dated the 5th February 1938. Condition (1) lays down that the Solicitor will be required to perform such portion of the Civil Legal business of the Central Govt. as has to be done at Bombay including income-tax cases, litigation in courts, advising State Railway Administration (if required), the legal business of all Deptts. of the Central Govt. located at Bombay and attending to the conveyancing work of such Deptts.

In this particular case the Selr. appeared in the court on 2 or 3 occasions on behalf of the Registrar of companies. This falls in his ordinary duties as laid down by the G. of I. for which he cannot claim any extra remuneration. Office does not think that there is any good case for payment of fees claimed by him.

Sd/- _____
3/4

It appears that Sel. will have to be paid the out pocket charges mentioned by him.

Sd/- _____
12/4

Please see the Registrar of Co's letter
at p. 15 and the F.D. and L.D. note
on pp. 29-30 and 31 ante. The work done by the
Solicitor to the Central Govt. for the Registrar
of Cos. ~~maxx~~ seems to fell within this retainer
as laid down in Govt. of India. Legislative Dept.
letter No. F. ^{313/II/37 c. 16.} ~~313/II/37~~ of the 3- 4-1938
and he would not be entitled to anything.

Whether, in view of the extra labour
if any, but forth by ^{him} ~~can~~ in this case he should be
paid any extra ^{remuneration} ~~remuneration~~ of, not ^{is} a question
to be decided by the Registrar of Cos.

Sd/- 14/4/48

R.L.A. Sd/- P.M.LAD.
14/4

K.V.G. 22/5

4C.

Office of the R.L.A.

The work done by the Solicitor to the Central Government for the Registrar of Companies seems to fall within his retainer as laid down in Government of India, Legislative Department letter No. F. 313-II/57 C.AG., dated the 5th February 1938 and he would not be entitled to anything. Whether, in view of the extra labour if any put forth by him in this case he should be paid any extra remuneration or not is a question to be decided by the Registrar of Companies.

Sd/- P.M.LAD
19/4

Remembrancer of Legal Affairs.

U.R. to F.D., No. 4283, dated the 20th April 1949.

K.V.G./22-5

4C.